omitted.

The construction of Tompkins Market has been very The constructed of Lompiers Market has been very materially delayed, owing principally to grave defects in the original specifications. After much discussion and great differences of opinion, new and supplementary contracts have been made for all of the building except the roof. The latter would have been a warded and sent to the Common Council for confirmation, but for the fact that the Controller declined to pass upon

the sureties.

It will be seen that this portion of the work will

ofer proposa's to have the City Hall building put in a proper repair, and as it was previous to the fire."

A competent architect was put in charge of this work the rext day, and specifications are being prepared as

There was the Common Council for confirmation. For full details in regard to all the business of the Bureau of Repairs and Supplies, you are referred to the reports of the Superincodent and Deputy-Superintendent transmitted herewith.

has the immediate charge of the supplies to public offices, and, under the ordinances, cor-responds directly with the Street Commissioner. The

proved to be a source of great vexation and annoy-nace, beside detriment to the public interests. I a ked this year for \$25,000 for stationery. The Common Council reduced it to \$15,000, which sum was included in the tax levy. This appropriation is exhausted, the amount supplied to different offices being as follows:

unt supplied to diff-rent offices being as foll Contriber's Office. \$1.28c at Clerk of Common Control. 1944 02 Clerk of Boare of Councilmen. 1960 00 

and so on, including 38 offices or courts; none of the others however having as large an amount as the lowest of the above. The whole amount of requisition drawn up to and including June 39, is \$12,704 19, showing an apparent balance of \$2,317 55. Other appropriations of similar character in this Bareau will I feer be exhausted before the end of the year. I asked for \$270,000 including \$50,000 for penting proceedings of the Common Council. This was under nine different headings, of which stationery was one. The Common Council struck off \$4,00,000 from what I asked for \$2,000 of which was for triping their own promon Countil struck off \$100,000 from what I is ked for \$-\$50,000 of which was for printing their own proceedings. The Legislature renastated this amount and then struck off \$78,000 from the amount allowed by the Common Council for printing, advertising, stationery, fael, fantiure, cleaning, lighting and supplies generally for all the public offices, Courts, Poice and Fire Department of the city and for all other purposes not otherwise provides for.

This Department has been furnished with \$30,000 for

sked for by the Street Commissioner nor allowed by the Common Council, but was included in the Tax Levy by the Legislature. I have been informed by the Controller that I can not her draw against "City Con-lingencies" for "Supplies to Public Odices" in psytingencies" nor "Supplies to Patric Offices" in payment for stationery, but the proper appropriation for me to draw against for supplies of stationery to the Controller's office, is "Contingencies Street Department," Letwithstanding the tart that there is a single appropriation for "Contingencies Finance Department." I have not yet definitively determined what is best to be done in this matter, but at present will continue to furnish stationery in such quantities as are absolutely needed; and will, in the mean time, endeavor to understand how it happens that the appropriation for statishery is by the Controller reported "exhausted," when I have drawn requisitions upon it

result from this way of legi-tating for practica one result from this way of legislating or practical business. There are ofter appropriations authorized for the Fire Department, "lots and houses" for Engine Companies Nos. 20 and 41 and Hook and Ludder Com-paby No. 3, but these have no connection with the Bureau of the Chief Engineer nor Fire Apparatus; one department of the City Government purchases real

incurred. You are respectfully referred to the report of the Chief Engineer of the Fire Department, and Superintendents of Fire Apparatus, for full particulars

communications made to your honorable bodies sinc which it appears had not been done at the time the payments were made. Early in the present year the Contreller called upon the Street Commissioner to farmin the Finance Department with a statement showing the title date of confirmation and amount remaining unpaid of every assessment list in the hands of the Collector nexts, and also with a statement of the ac

th day of February last, through his Honor the ayor. I am informed (shough net officially) that on a basis of that report a settlement of the account has

This Department has afforded the Controller every seeinly within its power, to put into proper shape the accounts which (to use his ewn words) "were kept or rather not kept" in his Department previous to the list of January last, and the present smooth working of the two Departments so far as concerns the collection of assessments, is an exemplification of a proper system of checks.

The duties required of the Collector and Deputies The daties required of the Collector and Deputaes and and such as cannot be delegated. The service upon each individual assessed, of two personal notices, and the execution of an affiliavit that he has so dore, are necessary before any list can be returned to the Clerk of Arreors for collection, and a sale of property for unpaid assessments without diligent endexor caving been made to collect the amount would be void.

Payments into the City Treasury to the credit of the Collector of Assessments of all amounts collected by the deputies are now required to be made every day. and the subject of analog these payments by the Col-lector and rendering full d-tailed state neut returns, final receipts and accounts daily in accordance with the demands of the Controller has been exasilered, but I

this Department.

The rate of fees prescribed by the amended orditase is 2; per cent on all amounts collected, and 2 per cent on all amounts properly returned to the Buresu of Arrears, being the same rates that were before all amounts returned to the Bureau of Arrears for col-lection. The beneficial effects of these two changes | feet on the rocks below, and was instantly killed.

tion upon the Controller for the amount of all his claims against the city.

The amount collected last year, from April 22 to December 31, was \$430,628.26, assessments and interest. The average fees of Collector and Deputies were \$181 the ach per month.

Tots year, to June 30, the amount collected is \$517,587.09, assessments and interest. The average fees of Collector and Deputies were \$616.14 each per month; the largest amount of fees for any one month was for May last, viz., \$330 each.

It will be remembered that from these fees the officers of the Bureau are obliged to pay all expenses for carriage have in serving notices, salaries of book-keeper, assis and and messenger; and in addition thereto each of the Deputies employs an assistant to aid in preparing notices and receipts, and keep his individual cash books and condensers posted—making a total of ten persons constantly employed. Their expenses are increased by the administal work, but not fully in pre-portion. Still, should their fees continue to increase as they have done, it will be for your honorable bodies to decide what chance, if any may be necessary.

to decide what change, if any, may be necessary.

The assessment for Central Park opening and Bow-ery extension, owing to their magnitude, have not yet been returned to the Bureau of Arrears. I am disappointed that this is so, and it is not entirely satisfac-tory to me; but much of the old work that was found in this Bureau unflutched has been closed, and I trust that very soon all will be. Every assessment con-tirmed since April 19, 1858, has been promptly deliv-ered to the Clerk of Arrears on the expiration of the

ered to the Clerk of Arrears on the expiration of the year allotted for collection.

The investigation of certain questions which arose during the last Winter rendered necessary an examination of the various cases in which judgments had been obtained against the city upon soil connected with the housness of this Department. A brief synopsis, compiled from the records of the Courts, and statement of tects based upon the records of this office, has been prepared, and is herewith submitted to your honorable bodies, for the reason that it contains information of an

While great improvements have unababeary been made in the manner of keeping the accounts and concording the public business intrusted to the Street Commissioner, the affairs of this department are not in an entirely satisfactory condition, and never can be under existing laws, and the present manner of making appropriations. It is necessary for the head of this Department to know in advance what work is required. to be done, and what amount of money is appropriated for the purpose. It is reasonable, too, that the amount appropriated should be expended entirely under the direction of the Department having charge of the Neither of these three essential conditions is ed with. Worse than all, for three or four complied with. months at the beginning of every year, expenditure sre incurred for this Cuy Government in advance of the passage of the Tax Levy by the Legislature, in circct violation of the plain mandatory requirements

of this Department, after appropriations applieshle to the purpose have been exhausted, until after further appropriations have been made. Under existing cir-comstances, it is necessary to consider present appro-priations as being all that can be made available before priations as being all that can be made available before the lat of April, 1860; and though they are in many cases inacequate for the present year, make them last antil April by commencing now to deay every applica-tion for expenditures that can possibly be dispensed with. In this, as in other matters, I respectfully ask the aid of the Common Council. I hope that you will, at least, give me a hearing before passing resolutions ordering any more new work not included in the tax levy.

evy, I would respectfully recommend that the Common Conneil pass a resolution directing that an inventory be taken by the various officers in charge of the furni-ture, law books, and other personal property belonging

tirely satisfactory condition, it is not only necessar that appropriators be made as suggested above, be it is becessary to confer more executive authority upon the head of the Department. Very respectfully, G. W. SMITH,

EFFECTS OF THE STORM IN THE CITY.

A cartman sought shelter in a grocery store at th corner of Eighty-fifth street and Eighth avenue,

the venicle. The stable of F. Wessel in the Twenty-second Ward was struck by lightning and consumed. A herse and several persons were within the stable when the shock came. The horse was much injured but the people

Margaret Ville, a child \$1 years of age, whese pareits reside at No. 110 West Fortieth street, was struck by lightning and killed. She was sitting npon a truck in a back room, near a window, when the lightning struck the roof and descended through

Club-House, near Penny Bridge, is well encircled by shore. The boat-keepers, on the first intimation of had weather, were out among their craft attempting to fasten them with new anchors in addition to their usual buoys. But the gust broke over the bay so suddenly that they were compelled to desist and go

It was noticeable that these which were moored to buoys fastened to heavy, snaken stones held their ground longer than those that trusted to the flukes of suchers; for an ancher, when it begins to drag, is apt to turn slightly toward one side, and so loses its

A large sail-boat lying moored to a stake was apparently partially lifted out of the water by the wind and capsized within a store's throw of the shore. No other of the craft moored in the anchorage of the Club-House were emprized. Several went ashore, but without da nage. The statement in yesterday's papers that a yecht left Penny Bridge with a large party on board, just at the beginning of the storm nd had not been heard from since, appears to have been unfounded. Great credit is due to the Messrs. Smedley, boat builders, for their energetic efforts to

prevent damage to the boats, FATAL OCCURRENCE AT BROWNSVILLE, - A most signiar and fatal occurrence took place pear Browns-ville, Jefferson Cennty, on Sunday morning last, by which a young German, named Philip Heints, was instantly killed. The deceased and two other young men living in the village, on Saturday right about 10 cleck, procured a bettle of liquor, and after immining sufficient quantity to steady their nerves, started up-e river, on the road toward Watertown as two of sem allege, without any particular destination them alege, without knewing where they should stop; view, or without knewing where they should stop; After going about three-tourths of a mile, and reaching a piece of woods, they turned from the road into the woods toward the river, which at this place runs so me they are the river. Stoppens about hal woods toward the river, which at this place rius some three or four rods therefrom. Stopping about half way from the road to the river bank, they struck a fire, and proceeded to amuse themselves by playing earles till about 2 o'clock, when some one passing by, and discovering the light of their fire, halled them. This so frightened and discovered them that they fled, each is reparate directions. The deceased, in his playing and the darkness occasioned by

## PUBLIC MEETINGS.

BOARD OF ALDERMEN.

cation was received from the Controller relative to the contract for the roof of Tompkes Market giving an account of the difficulty between himself and the Sreet Commissioner about if is matter. Mr. Haws says that Commissioner about if is matter. Mr. Have says that, on the 3d of May last the Screet Commissioner opened hids for the work and found but wo estimates, one by Messrs. Gillespie & Maitlang for \$14,500, and another by Mr. Noe for \$10,525. The Screet Commissioner sent the highest of these bids to the Courtoller on the 25th of June, for approval of the sureties, which were declined, because the bid screpted way not the lawest sent in. The Street Commissioner tage approach to the Common Connell stating the action of pealed to the Common Council, stating the action of the Controller, who now, in turn, addresses the Board in order to set himself right in the matter before them, and claims that in refusing the sureties offered, he was doing a work of cesicable economy for the city. Whole subject referred.

The Mikmen and the Country Dealers.—An or fi-

power to appoint an Inspector, to be maintained at their own expense, whose cuty it shall be to attest the quantity of milk in each can received from the country, attaching his seal as authority.

City Finances.—A full statement and summary of the country of the country of the country of the country.

expenditures on City Government Account, as well as
the several Special and Trus' Account for and during
the first half of the present fiscal year, ending June
30, and amounting to \$8,944,56,505, was received from
the Controller and ordered to be printed.

A \*\*Quiet Blue at the Steam Fire Engines.\*\*—The

Steam Commissions are not in a communication which was

A Quiet Blow at the Steam Fire Engines.—The Street Commissioner sent in a communication, which was referred, recommending that the three steam fire cogines in possession of the city should be withdrawn from service at present, for the same teason stated by the Superintendent of Fire Apparatus, that the Common Council have made no provision for them, although they keep one man to attend to them constantly.

Street Commissioner's Report.—The semi-annual report of the Street Commissioner was received and ordered to be printed.

January, 1857, was adopted.

Small Cars on the Hudson River Road.—The Board adopted a report of the Committee on Railroads presenting an ordinance to permit the Hudson River Railroad Company to run city passenger cars over their

passed over the veto, with an amendment for the ap-pointment of a Committee of Conference to consult the

Councilnes in the matter.

The Board adjourned to Thursday next at 5 o'clock.

BOARD OF COUNCILMEN.

Piper.-A resolution offered by Mr. Platt

enticled to commerciation for the energy and ability which he has displayed in vindicating the interests and rights of the Corporation."

Mr. Lear observed that he saw no reason for giving

West Washington Market.—The communication of his Honer, the Mayor, which was sent to the Board of Aldermen last Monday night, was received and referred

Aldermen had Monday night, was received an a received to a Special Committee.

Harbor Obstructions.—Another communication was received from the Mayor, calling attention to an obstruction of the Battery by the wreck of the schooner Ohyer, which was such there some time ago. Accompanying the paper were communications from the Pilot Commissioners and the Street Commissioner, in relerence to the subject. Referred to Committee on

Cay or Treasury accounts foot up a total expensiture of \$3,195,527.79, and the trust and special accounts \$5,751,977.26, making a total of \$8,944.565.00. The cocument was ordered to be printed. Satement are: Accessages, \$250,267 11; Alme-House Department, \$300,000; Assessment Fund, Greet opening), \$22,976 53; Central Pank Fund, payment of awards, \$14 888 10; Croton Water Works, extension and New Reservor, \$117,532 26; Schools for City, \$557,332 96; Clentral Park Improvement Fund, \$3,00,793 97; Central Park Improvement Fund, \$3,00,900; Interest on Revenue Isones, \$155,724 19; Interest on Central Park Debt, \$112,450 34; Fire Department, \$39,891 60; Contingences daw department, \$19,824 34; Interest on Central Park Fund Stock of 1878, \$19,0625 78; Anno G1888, \$18,262 50; Judgments, \$682,989 16; Printing and Advertising for Common Council, \$37,910 60; same for Departments, \$11,350 70; Kostes and Avenues, \$22,017 12; Sewers (repairing, &2), \$12,000,00;

Pearl street for the u-e of the Fourth Preemet, was authorized by the Board of Police during the su-pen-sion of the power of the Common Council to supply the Pelice Department for wast of tunes, and pending

Repairs. Resolutions were adopted in favor of re-pairing and painting house of Engine Co. No. 31, and in layer of repairing and painting the Tenta Ward

ewers in Second avenue, between Seventy minth and lighty-sixth streets, and in Grand street, between

atral Fark .- The report of the Finance Commitse in favor of an ordinance providing for a further sene of the stock of the Central Park Improvement

not to exceed \$1,000. Arjentaed to Montay.

Process.—A communication was received from the Controller, in mower to a resolution transmitting statement giving a summary of expenditures for S ate and County purposes for the first half of the fiscal year ending June 30, amounting to \$2,014,278. Re-

have come through the Committee on the subject, and not direct from Mr. Brady. This was waived, how-ever, and the paper was trad. It holds that the Leg-islature transcended its powers in the passage of the act giving the Controller the power to appear Tax act giving the Controller the power to appoint Tax Commissioners. That act is, he says, unconstitutional, the Controller being a city officer, and not competent to appoint Tax Commissioners, who are county officers. The Tax Commissioners, however, being the same as were appointed by the old Supervisors, are legally constituted efficers, as they hold over, and can hold over un if their successors are appointed. The Tax roll is, therefore, legal. The opinion further holds that the Supervisors, as at present constituted, have not the power to appoint Tax Commissioners. The old Supervisors, under the old law, had, but that law is repeated, atd no other Tax Commissioners, it would appear from the opinion, can be appointed until some legal provision is made by the Legislature.

Mr. Kennen remarked that he was well pleased with the opinion, for it still held the Commissioners in power, and no officer or body in the country could re-

charged. The rurser, who acted the priceipal part in the plot, has not yet been armeted.

> A POLASDER AMONG THE RUSSERS .- Martin Bandavsky, a Polander, while on his way from Williamsburgh to a point on the North River, on Tuesday afterroom, in search of the ship Republic, by which he was about to take passage for Bremen, was attacked, while inquiring the way, by a backman named Michael Curley, who forcibly took his truck from him and carried the same to Freeman's Histel, No. 151 Ceder street. Mr. Bendavsky followed the backman, and demanded his trunk at the hotel, but was told that be could not have it until he paid a dollar. Not having that ameant in his pocket, Mr. Bendavsky alleges that Curley, with the assistance of several others, titled his pockets, and took his purse, arrested, who says that his reason for such conduct that a runner, named "Express Hackney," had told him to do so. Tals reason not being satisfactory to his Honor, Curley's heense was at once revoked, and he was breides, about to be sent to the Tombs, when a well-known botel man of the same locality, named Brady, agreed to advance money on his behalf. He was then fined \$10, and dismissed.

SHOCKING -A car'man named Charles Kerwin was takes to the Sixteenth Ward S ation-House on his cart, about So clock on Wednesday evening, in a state of gross intexication. His little daughter, only 3 years of age, lay beside him, he having given her sufficient iquor to make her drunk. A physician was sent for, who gave the child an emetic, and saved her life. HIGHWAY ROBBERY - During the storm on Wed-

nesday evening, Mr. George J. Jones, a South Carolinian, now residing at No. 647 Hudson street, New-York, while at Jones's [Wood, was attacked by four ruffians, who roubed him of \$16. They were all subsequently arrested, when they gave their names Peter Farley Daniel Kelly, Pat McDonald, and John Richards. Justice Brownell committed them

THE CASE OF CAPT. WM. THOMPSON .- We are requested to state that the person who was found drugged in a house in Howard street, last week, is not Capt. Wm. Thompson of the ship Harmon Jones. He has been lying sick in his hotel ever since his arrival in port.

Drowsen,—One of the inmates of the Alms House

Denastment, whose name could not be accertained, was driedly the storm on Wednesday afternoon, but in what in the gettleman is porting the case at the Coroner's office not say. The bady was subsequently recovered and pure Lunatic Asylono dead-house, where an impact will be by Coroner O'Keefe. Cour DE Soteit .- Coroner Jackman held an inquest

at the New-York Hospital on the body of Louis Lyttale, a native of France, 22 years of age, who died from the effects of the ex-cessive heat on Wednesday issu. Deceased had been but two days in the country, during which time he stopped at No. 2 Greet with street. STEALING A KEG OF LAGER. Hugh McCabe, feeling rather thirsty while at Jones's Wood on Wednesday, knocked dewing waiter named William Keard, who was wheel ling sim keps of lager through the grounds, and a decome of them, with which he attempted to escape. He missensity failed in the attempt, and was arrested and held to answer for the offense.

RUN OVER .-- An ice-cartman named John Kelly, 40 years of age, in attempting to get mean his cart on Wednesday evening, mused his footing and fell under the wheel, receiving justs of which he cled seen after his removal to the New York Hospital.

BRUTAL ASSAULT.-Henry Collins attacked John

FELL OUT OF A WINDOW.-James Waterson, 23

Bassein with brawknowkes, on Wednesday, at Jones's Wood, and with one blowknowked off als now. The ruffica was arrested and committee by Justice Brownell. ATTEMPTED SUICIDE.—Caroline Westbrook leaped

into the East River, at the foot of Catherine street, on day right intending to destroy herself. She was rescheded up.

GREAT REDUCTION!

In consequence of the cold weather in June, we have still got an immerce stack of Summer Clottere in June, we have still got an immerce stack of Summer Clottere in hand, which we are extermined not to carry over, and have therefore concluded to make a great reduction of prices on all Summer Stock.

As every garment is marked at the lowest selling figures, the purchaser will be enabled to see the reduction made on taose This will afford a great opportunity for every one to supply themselves from a very large stock of fashionable Summer

bemselves from a very large stock of fashionable SCHME LOTHNIA at extremely low prices. The same reduction is mad in our large stock of Box's and Chillern's Cloruino. The warm season is only beginning. D. Drvilla & Co., Nos. 228, 239 and 260 Broadway.

| Advertisement | BRADY'S GALLERIES.

Provious Pris.
AMBROTYPES AND DAUGERRESTYPES.
Nos. 1859 and 643 Broadway. New-York, and No. 352 Pennsyl
rame av., Washington, D. C.
Pinters of all descriptions copied in every style of the art.

METALLIC TABLET RAZOR STROP.—This inimtable article may be obtained of the sole manufacturers J. & S. SAUNDERS, No. 7 Astor House, and of the various gents through

AMBROTYPES and Photographs, for from \$3 dorent size fix10; the largest and chapest Portra-orld, either for fon, love or money, at Hot says a on Gallery, No. 681 Broadway. Beware of pickpo-upty pockets.

Everybody desires to succeed, and very few would fall of success and happiness if they would follow the right pursuit, and try to make the desi use of their families. FOWLER 4. Wells, No. 200 Brandway, make Phranological Examinations fally, and give advice on these points.

# LAW INTELLIGENCE.

SUPREME COURT-CHAMBERS-July 14 -Before Justice

Eliza J. Herrick agt. Courles H. Herrick.—Motion

Christian Angele agt. John Kreitz.-Motion for writ of supersedess denied without costs.

Henry Husten set, William Moser.—Motion for discovery denied without costs and without prejudice to plaintiff's right to apply on referre's certificate.

COURT OF COMMON PLEAS—GENERAL TERM. - JULY 14.-

Before Judges Daty, Branty and Hitton. George Lumbert agt George Seely. Hitton, J.—Tee plaintiff sued to recover the value (cettain p. 1997).

estain p, thre frames, alleged to have been son and certaining to the defendant.

Is not the tria the plaintiff was sworn and examined as a will be trial the plaintiff was sworn and examined. It is not to the defendant.

Up in the tria the planniff was awarr and examined as a witness on the own besuff, and their rested his case. His testimony in substance was that he said the frames to the defendant, who calls out his store and ordered them in May, 1819. That the arbities were said from his store to be delivered as the defendant's because by one of his clerks, he could not tell which, nor did be know or all help sent, and as to whether they were actually delivered or not he def not know. He did not see them delivered. In August, 1809, he had a clerk in his employ, maned Hatch, who was in the habit of seiling goods for him and receipting bids, and had sutherly from him to so so. A receipt for the goods in question was then produced, sined by Harch for the plaintiff, and which the plaintiff wore was in Hatch and dwining.

Upon this resumently, and without any groot whet were as to the value of the goods in a sold, the polatitiff rested his case, whereupon the defendant moved for a non-ant, which the Justice description is the defendant moved for a non-ant, which the Justice description is the state of the case.

on. The defendant then excepted and offered evidence on his part.

Died.

The defendant then excepted and offered evidence on his part. The Joscice subsequently gave judgment for the pisintiff, and the defendant appeals, stating as one of his grounds of appeal that the Justice errord in refusing the rot suit.

The decision of the Justice open this motion was clearly errorteous, and his judgment must therefore be reversed.

The plaintiff steatingly showed no cause of senion whatever spairs the defendant apart from the receipt, which, the apartical response to except the plaintiff are the open papear that the goods were evidence, as we conclude against his recovery, (i) fireth leafs Eq. sec. 1989. It did not appear that the goods were evidence, and the property of the support of which formed the grounds for the motion—the judgment will not be reversed on appeal because the proper evidence—the wint of which formed the grounds for the motion—the judgment will not be reversed on appeal because the proper evidence was not before the Central the motion to mount was made. (Hyland ag. She runn), 2E. D. Smith, 204

Here the defendant did not supply the omission. It is true he stated that a part of the frames were delivered, and only doubled the receipt of one of those coursed spinish time. But the farnished two evidence of the value of these he of nitted the receipt of he yould describing them by the prices stated in the receipt produced.

Besides it appeared that they were purchased by film from a Mr.

mished to evidence of the prices stated in the receipt produced. Benders it appeared that they were purchased by him from a Mr. Benders it appeared that they were purchased by him from a Mr. Werebrook, who was at the time in business with the pidiotif, upon the desirated arreament that the price second be credited as note of Weschroek's, then held by one defendant. The plaintiff knew of this arranchment at the time of the asle, not assected to it. Under it the frames were delivered, and afterward, on Westbrook's delivering to the defendant the receipt referred to, the amount charged was credited on the note.

These what commissiones the receipt was obtained by Westbrook as commissiones to receipt was obtained by Westbrook does not appear, beyond his statement that the plaintiff agreed to furnish the frames on his, West-brook as account.

Whether he paid Hatch in money, or is weat manner the bill was settled, is not shown, although the plaintiff might have farmished the information had be chosen to have done a. His silence upon this subject affords a strong presumption against his present claim, and taken it connection with the positive evidence on the part of the defendant respecting the agreement and the receipt, which throughout was uncompatisted, either by the plaintiff deaying the aumority of Hatch to give it in his name, or that he received auxiling for it, satisfasis me that the finding of the Justice was not only unamported by the cri-

Special Team -J dy 14 - Before Judge His. ros.

Elisha Bloomer agt. Daniel N. Whitney. Judgment

Edward Gassit, &c , agt. Crocker & Warren. Mon for appointment of Receiver denied with coats.

Same agt Same. Motion to make reply more defin-

denied with costs.
James Sorley, &c., agt, Herry O. Brewer, &c. Mo-

for appointment of Receiver of freight of nark Course grant crease areased for that purpose. Temporary impunction of orgeport City Bank agt. Charles Abernethy. Case Moffet agt. Moore. Papers with the Special Term

SUPERIOR COURT-SPECIAL TERM-JULY 14 - Before Justice Woodparty.

THE FORREST DIVORCE CASE,

Chatherine N. Forrest art. Edwin Forrest.

To day Mr. O Center moved that the referee appointed to take the testimony of a witness defend exact this case, be directed to proved at once with the exemination. It appears that the referee had adjustmed the inviter staff Ontober. Come last moved for an order allowing temporary allowing to Mrs. Singular product the provedings.

The restinons were opposed by Mr. Brady on helalf of Mr. Fortest. Decision testivo.

COURT OF SPECIAL SESSIONS—JULY 14.—Before Justices COURT OF SPECIAL SESSIONS—JULY 14.—Before Justices CONSTILLY BROWNELL and KELLY.

Owen Colling as assault and battery; judgment suspended. Edward Cassenbrott, assault and battery; judgment suspended. Without Fraser, stealing money judgment suspended. Free-rick Baner, assault and battery judgment suspended. John Campbell, assault and battery fined \$3. Mary Foley, assault and battery; judgment stapended. John Campbell, assault and battery fined \$3. Mary Foley, assault and battery; judgment stapended.

### NEW-JERSEY ITEMS.

Conjecal. Affair.—Yesterday afternoon, a woman bearing the appearance of baying been ose britaily beaten, appeared at Recorder Bedford's effice, in Jersey Uity, and preferred a complaint agentather tenshald, James O Ragan, for assails and battery, threatedry for his with a halfe, and for adultyry. Successful they be about the place a young woman named Margaret Becker. Upon returning home yesterday, Mrs. O'Ragan discovered the state of affairs, and renomate teel with her husboud for his laft-cellty, what he flew in a passion, and after beating her in a most beinfal manner, select a kaife and threatened to marder her if she did not however begunies. Officers Daley and Smith went to the house, corner of South Second and Mannouth streets, and attrested accused and his parantum. O'Ragan was held in \$500 hours for his appearance, and Margaret Becker was committed to the City Prison.

FIREMEN'S INVITATION ACCEPTED. - Hercules Exgine Company, No. 3 of Jersey City, have accepted an invitation from Howard Engine Company of New York to parde in that erry or Sarordey, upon the sec asion of the reception of Perservation Hose Company of Philadelphia, on their return from Ning-

teamst ip Asia, lying at the Cunare dock, proceeded on a pic-aid of the Newark Bay House.

A letter from Jiddah states that a vessel going from

THE BUSSIAN PRIGATE GENERAL ADMIRAL. Advices received by the Canada state that the new Russian frigate General Admiral, from this port, had reached Cherbourg. The date of her arrival and par-

LOSS OF THE CAPTAIN, NATE AND THIRTERS OF THE CREW OF AN AUSTRALIAN CLIFFER.

Advices have reached Laverpool of the melanchely rate of Capt. Brewer, the chief officer, and thirteen of the crew of the cupper-ship Indian Queen.
The news is conveyed in a dispatch from Valparsiso, heating date June 11. It states that the Indian Queen, Capt. Brewer, from Melbourne to Laverpool, pat in their on the 16th instant. She struck an iceberg on the 1st April, in 1st. 60° S., lon. 10° W., while reasing at the rate of 12 knots an hour. The mammast, from the top up, and foremast, went over the side, carrying with them the bowsprit and figure head. The contain chief officer and thirteen of the crew took to captain, chief officer and thirteen of the crew took to the boats; the second officer refusing to leave the ship. The boat with the captain, more and men on board was swamped along-ide, and and all hands perished. The ship continued on her course in the most dilapidate condition, and in 32 days after the said occurrence, she anchoren safely in the Bay of Valparaiso. She had on board 40 passengers, a general pargo and 25,070 ounces and said.

Penn , July 10, says that farmers are cutting their hay crep to save it from the army worm, which has begun its devastations. The crop is a light one.

July 11 says that he has just been through the Coanties of Henry, Berrian, and Putnam, and finds the wheat turning yellow, and the farmers in good spirits at their prospect of barvest. The new-ground crop will be a full one, and that upon old ground, say

Corn.—The same letter says:

"The corn is coving on finely, and is now nearly three teet high. The severe frost in the early part of June cut the corn down in this vicinity close to the ground; but, the weather being (svorable, most of it started up unmediately, while a few pieces tast to be replanted. It is growing rapidly now, and the prospect is that we shall have plenty. Outs, barley, potatoes, and culinary vegetables are noing well. Fruit will be scarce."

WHEAT IN INDIANA .- The Indiana Journal, in speaking of the favorable reports that come in, says: speaking of the invorable reports that come in, says:

"Wheat, though very of en thin on the ground, turns out such heavy heads, and remarkably full grains, that an average crop in quantity and core than that in quality, will be harve set in this State.

The testimony on this point is so uniform, with but one exception or two among nearly a hundred reports that we have received, that it would be unreasonable.

o doubt it

In many localities it is small, but the color is good, and a fair season will bring it out right. A larger breadth of ground has been planted than ever before in the State. Grass is uring out better than was expected as me time ago. We should think it would be a fair crop, though not remarkable. Potatoes are undeniably good, and we can haroly fail to have an abundance of the beautiful and the color of the

crop in a very promising condition, but a letter now before us from Columbia Co., Wis., July 8, says:

"The wheat crop here was Lever more prom and will yield largely, unless some accident betalls it. Neither the frest northe chinch bug have affected it as

Another letter dated Madison, Wis., July 7, says:

'I have never known a more promising season than
the present one. The dry weather of flay has undoubtedly shortened the straw of wheat; but I venture
to assert, that better looking heads were never soon,
and with the fine showers of the past week, we can
safely calculate that they will be well filled. The daager of blast or middew I consider past; the Spring
wheat is already in full blossom, and the fine, clear
weather, tygether with the short ofraw (insuring good
ventilation) gives positive as urance of a boundful
narvest. You can safely calculate that Wissonsin und
procedure more wheat this vest than in any previous produce more wheat this year than in any previous one, and I guarantee that it will be vastly superior in quality. The amount of land in crops I believe to be quality. The amount of land in crops a beneve a no per cent greater than last year, probably more.

bushels ever raised in that State. Potatoes, he says, are growing finely; many fields n full blossem, and some of the early varieties about

Garden vegetables suffered some from the frost; but many gardens escaped with lumsterial damage. The first plantings suffered most; but nearly every-

body had second crops in, which have come along Apples suffered toost in this State, where there was any. Some of this fruit even escaped, say 20 P cent. The wild plum trees are loaded down with fruit. Tae

Mississippi. - Some accounts say "the crops never were more promising," while others say that the rains have been so heavy as greatly to injure the corn and cotton. The breadta of land sown in wheat in that State is not a large one this year, but it is unusually good in yield and quality.

The Board of Aldermen met yesterday afternoon at Tompkins Market Contract Difficulty. - A communi-

report of the Street Commissioner was received and ordered to be pritted.

Gate House Difficulty Ended.—By a vote of 13 to 2, the Board concurred with the Councilmen, and awarded the gate-house contract for the new reservoir to Messrs. Fairchild, Walker & Co.

Another Ferry Lease on Hand.—The Board concerred in a resolution to advertise the lease of the ferry lease for the first plant for the first plant for the first first first the south to South.

from Grand street, East River, this city, to South Seventh street, Brooklyn, E. D.

Ordered to Fulfill Terms.—A report of the Committee on Ferries in favor of requiring the New Jersey Railroad and Transportation Company to run a ferry to Jersey City from the foot of Desbrosses street, in accordance with the provisions of their lease granted in Language, 1857, was adouted.

this city.
Washington Market Title to be Defended .-

The Mayor sent in a communication vetoing the resolution in favor of an appropriation of \$5,000 to defend the title of the City to the West Wasoington Market property; but, after a brief debate, the resolution was

BOARD OF COUNCHMEN.

The meeting of the Board on Tautsday afternoon, rotwithstanding the warm weather, was pret y well attended. Mr. Correct. the President, presided. Mr. Jones submitted the following resolution: Resolved, That the Speet Commissioner be directed to transmit to this Board's schedule of all bills point, or that are now pending reduced him for work ordered by the Pathee Commissioners, without ambority, since the lat of January, 1959.

was adopted, in favor of laying Croton males in Bisomingdale road from Seventy-third street to One-hurdiedth street.

A Puff for "Galorious" Dick Busteed.—Mr. Buckgroup submitted a preamble, liberally interspersed with rehereases, the object being a congravulation by the Common Council to the citizens of New-York, on the rebuke given to frandalen speculators, by the promulgation of the decision of Justice Kooseveli, in the West-Washington-Market case, and the behelf of the Common Council "that Richard Basteet is estilled to common for the energy and ability hedth street.

such praise to a man who had done one good act.

Mr. OTTAINSON desired to look into the matter before
taking hasty action upon it, and accordingly moved
that it be laid over for the present, which was

reference to the subject. Referred to Committee on Wherves, Piers and Slips.

City Expenditures.—The Controller transmitted a statement giving a summary of expenditures on city account, also, upon the several special and trust accounts during the half year ending Jure 30, 1859. The

for Departments, \$11,339.70; Roses and Avendes, \$22,617.17; Sewers Preparing, & 2.), \$12,000.09; Seeas Fire Engine (balance of appropriation, 1857, \$10,985.41; Salaries, \$300,221.57; Street Improvement Fand, \$238,918.60.

Police Station.—In reply to a resolution of inquiry, the Controller submitted a letter from Thomas B. Stillman, esq., stating that the lease of the premises in Peaul street for the use of the Fourth Precinct, was authorized by the B.

he action of the Legislature on the tax levy. Re-eried to Coulmittee on Kepairs and Supplies. Repairs.—Resolutions were a topted in favor of re-

Reports we adopted, concurring to build

'end was adopted.

Fitting up Court Rosons.—The Board concurred to ave the rooms of 1st District Court fitted up at an

BOARD OF SUPERVISORS. This Board held another meeting yesterday, ELDAN F. PLEDY, esq., is the char. Frances.—A communication was received from the

nion on the Tax Commission .- A communica tion was announced from James T., Braoy esq., being an opinion as to the legality or riegality of the appointment of Tax Commissioners by the Controller.

Mr. Kenney objected to its reception. It should have come through the Committee on the subject, and

move them until the Legislature could take held of the matter again.

Mr. Voonnes said this was the opinion he had had of the question, but he condemned the action of the Legislature in needding with these matters. It was a rancally act. He, however, was in favor of going on and

stiruitg the tax books. Mr. Billyr asked where the books were. The waks and roll were presented here, but not received. Pencing a rection to lay them on the table on the 4th usts, the Board acjourced, and where were the

Tween said they were, of course, in the hands

of the Clerk.

A resclution was presented to refer the assessment rel and books to the Committee on Annusi Texes; that said Committee examine if they had been prepared according to law, and send for persons and papers, and

report at an early day their opinion. Adopte 1.

Mr. KENNED presented a resolution that the Board proceed to select two papers in which to publish the

Sersion laws. Lost, by 6 to 6.

Mr. Tween presented a resolution that the Controller draw his warrant in favor of Mr. Brady, \$250, for his opinion on the Tax Commissioner subject.

Mr. Blusz apposes this. Mr. Brady only quoted the law. It was a job only of about three hours.

Mr. Voormis favored the resolution; he thought it was earset.

was carried.
The resolution was adopted by 9 to 3.
The Sheriff's bill, \$8,050-24, for the quarter, was orared peat.

Mr. Billar presented his minerity report against the

Mr. Biller presented his minerity report against the proposed appropriation of \$190,000 for the Commissioners of Record, to complete the contract for the Registry Office. Leid over.

The Coroter's bills, amounting to \$3,000 50, for the quarter ending Jane 30, were ordered paid. The post marken bills, \$115, of doctors, were then read, and

Mr. Voormis called up the report on Annual Taxes, to raise by tax the money for the county government, being, as authorized by the Legislature, \$3,329 84.

The paper was read and passed.

The Board was read and passed.

The Board increased the salary of Mr. Vandervoort, clerk of the ression, and his deputy, and then as journed.

CITY ITEMS. The weather yesterday was very warm, notwith-

tanding the heavy rain of the night before. During the afternoon a breeze and clouds came up, and the evening was cool and enjoyable. THANKS ON THE NEW-HAVEN R. R. - During the ld, 4th and 5th, 22,783 passengers were carried over the New-York and New-Haven Railroad, the

largest number that has passed over the road in a corresponding time sixee it has been in operation. Spiritualists' Pic-Nic .- On Monday, July 18, here will be a pic-ate of Spiritualists at Pleasant Valey, about ten noles up the North River. The steamboat Flora will leave the foot of Spring street at ! o'clock in the morning, and at 11 o'clock in the afternoon, and step at Twenty-second street, each trip, for passengers. If it should rain on Monday, the pic-me

will take place on the fellowing cay, Tuesday, July 19.

TURNING THE TABLES,-A lawyer gamed Philip Levi, residing at No. 537 Sixth street, charges Charles Hayden and John J. Matthews, two of his old clients, with robbing him of valuables to the amount of \$179. According to his statement, they came to him and represented that they had a case for him, thus inducing him to go into a low dricking saloon where prior to ertering upon business, he was prevailed upon to drink a few glasses of gin. This threw him into a stupor, upon recovering from which he found himself minus watch, breastpin, card-case, hat, knife and other thirgs, in all of the value above stated. Strongly suspecting that his old clients had helped themselves to his property, he caused them to be arrested vesterday, and committed by Justice Connolly for examination.

FATAL RESULT OF A QUARREL,-On Toesday evening Pidip Ramp, a boy fourteen years of age, who worked in a barber-shop in Seventh avenue. between Eighteenth and Nineteenth streets, got into an alterestion with another boy, named Riley, when the latter, as is charged, struck and kicked him in the stomach and abdomen, with so much severity that he fell to the walk insensible, and had a series of convulsive fits. Officer Marsh of the Sext-enth Ward conveyed the injured boy to Bellevue Hespital, where he lay, in an acconscious condition, till the following vehing, when he expired. He juvenile assailant escaped at the time, and is still at large, but the police are in search of him. Coroner O Keefe was notified to hold an inquest on the body. The parents of the deceased live at No. 118 East Thirty-third street.

STEALING A JEWEL .- George H. Conner, alias Embree, went to the store of Messrs. Henle Bros , No. 26 Maiden lane, ostensibly for the purpose of purchasing some precious stones. Among other jewels shown to him was an emerald worth \$10. Selecting such articles as he wanted, he desired that they might be sent, with the bill, to Mr. Peck, at No. 21 Chambers street. A clerk was dispatched with the bill and goods to the place designated; but, upon reaching the store, it was not occupied by Mr. Peck nor an one who knew anything about him, so the messenger returned and reported progress. This aroused the uspicions of Mr. Herle, and an examination of their ow cases showed that the emerald above alluded to had been stolen. Officer Fitzmaurice of the S-cond Ward was deputed to look after the suspected party, and succeeded in taking him within two hours. tice Connolly, in spite of Mr. Conner's protestations

of hinecerce, committed him for trial. A CURIOUS CASE .- The Thirteenth Ward Police vesterday reported that they had arrested John New mann for murder. It appears that John Newmann, who resides in the rear of No 85 Attorney street, is not on very friendly terms with his next-door neighbor, William Jankins. About 51 o'clock on Tuesday afternoon Ne smant dir. eved a stream of water from a hosepipe upon a twic child of Mrs. Jenkins, about one year Mrs. Jankins, hearing the screams of her little one. ran to his assistance, when she was abused very badly by Mr. Newmann, who broadly charged that she was not one whit better than Mrs. Sickles had been in her corjugal relations. Mrs. Jenkins succeeded in rescure per infant, however, and, after suggesting that Newmann had better lock to his own prectous family, was about going up stairs, when she was confronted by the smiable Miss Newmann, who challenged her to lay her baby down and fight, for some remarks that had made, which bore rather severely against her reputation. Mrs. Jenkins declined to accept the challerge, and attempted again to go to her apartments, when Mrs. Newmann reaching out of her window, reized her by the bair of her head, and blackered her eyes with her fists.

When Mr. Jenkins came home, his wife told him how she has been abused by the Newmanns, and he immediately resolved to take the law into his own hards, and make them rue their cruelty to her and her little one. With this intention he speedily pitched into Newmann, but Mrs. and Miss Newmann rushing to the rescue, he was very severely handled, until Mrs. Jenkins came to his relief, when the quarrel terminated in a drawn battle. Mr. and Mrs. Jenkins then went home, upon reaching which they were alarmed to find one of their little ones, twin to the boy that had been washed down with the hose, gasping for breath. The child soon after expired: but whether from fright at the noise of the fight, from exhaust on caused by the heat, or from some cause less natural, could not be ascertained. It had been sick for some time, and to evidence of violetce appeared about its body. The police, however, arrested John Newmann on suspicior. Coroner Gamble went to hold an in quest upon the body yesterday morning, but up to last evening no return of the result had been made. DISCHARGED, - Selover, the ticket swindler, wh

had been charged with swindling the Rocks Brothers was brought before the Mayor yesterday and discharged, the evidence not showing that he was directly concerned. One of the proprietors of the bogus Lovejoy House, named Fallon, was also brought up, but agreed to settle. The Mayor told him that he could name of their house, which was a deception. Fallon agreed to refect another name, and thereupon was dis-

with all that it contained, retaining the baggage in security for 20 cents more, which was wanted. Complant was made at the Mayor's Office, and Carley

Excussion -Yesterday the crew of the British

MARINE AFFAIRS.

Jeffa with 250 Mussulman pilgrims for Mecca, foundered about 100 miles from Jiddsh. All on board were drowned, with the exception of a few, who saved themselves by bolding to some loose spars.

ticulars of the voyage are yet unknown. LOSS OF THE CAPTAIN, NATE AND THIRTEEN OF

CROP PROSPECTS.

THE ARMY WORM .- A letter from Carbondale,

WHEAT IN LLINOIS. -The writer of a letter dated

two-thirds. Corn. - The same letter says:

This is all very pleasant information, but it is made still more so by the words nunexed: "Corn and other Crops.—Corn is reported to be locking well still, though it is beginning to want rain.

goan, and we can haroly land or staples all either all kinds, at fair prices. In fact our staples all either promise well, or have done well, and we may reasona-bly look for better times next year." WHEAT IS WISCOSSIN .- Advices from that State for some time past have not represented the wheat

Another letter dated Madison, Wis., July 7, says:

Other Crops in Wisconsin .- Oats promise well, not this tanding a little nip from the frost in June. Corp. the writer of the letter thinks will according to present appearances, give the greatest number of

fit for table use. They never looked better at this

grape suffered severely in some localities; hat the great vineyards at Sauk City, on the Wicensin River, this S ate, escaped unharmed.

Street Department, the bills therefor to be addited and paid by the Pinance Department. Bureau of Renarcs and Supplies

For repair, additions and all continus
For rebuilding test pertion of City Hall descreped by fire 50,000
Building State Delines for First, Finds, Fourth, Seventh
and Teath Precious.

Beguin to Police State in thomes.

20,000
Beguin to Police State in thomes.

have to be re-advertised. City Hall Repairs.

The Common Conneil, on the 27th of June, passed a resolution, "directing the Street Commissioner to "have specifications drawn, and advertise immediately

repidly as practicable.

There will be no unrecessary delay in submitting

responds directly with the Street Commissioner. The Deputy-Superin endent renders vouchers against a variety of appropriations, many of which are much more largely drawn upon by others. A full statement of all his transactions is included in his report.

It is upon this forecast that the general business of all the offices of the City Government so directly depends for fuel, stationery, printing, & ... Several of these appropriations were exhausted has year, which proved to be a source of great vexation and annoy.

and so on, including 38 offices or courts; none of the

not otherwise provides for.

This Department has been fernished with \$30,000 for "Coatingencies Street Department." This was not

priation for statumery is by the Controller reported "extansted," when I have drawn requisitions upon it for an anount less by \$2.317.55 than the appropriation. I shall take an early opportunity of communicating to your honorable bodies any decision that I may come to in tris question, ledy to effect the furnishing of need rul supplies to public offices.

Bureau of the Charlengineer of the Fore Department.—The amount asked for this Bureau by the Chief Engineer was \$57,000, including \$2,000 now drawn from the appropriation for salaries.

The amount asked for by this Department (most of the increase being made necessary by work then or derec by Common Connett), was \$70,775. The Common Connett allowed \$70,055 under tifteen different heads. The Legislature authorized \$64,225 under the mon Council allowed \$5.0.5 under lifter and each beads. The Legislature authorized \$64,225 under the several personnel head. Fire Department.

Notwithstanding this large reduction in the amount of money asked for the Common Council have ordered an additional amount of new wors. Phere can be but A. Ma

estate, another constructs buildings.

The amount for which requisitions have been drawn by this Department, against the appropriation for "Fire Department," is \$33,575.20, of which Stylers Source on certified vonchers of the Chief Engineer, and \$3,847.31 on vonchers of other officers of this Department, leaving a balance of \$21,652.48 for payment of hills already rendered, and hereafter to be the control of the control of

Buseau of the Collection of Assessments. - In various May, 1858, the condition of the business of this Bureau, previous to that tune, was stated at length. It will be perceived by the report of the Collector that, on the Controller's certificates, the moneys had been netually paid to former Deputy Collectors; large a nounts are new being credited, and the bens unscharged of record, which the province the pay.

of Assessments, and also with a statement of the accounts of Isaac Edwards, who, as Collector of Assessments, was succeeded by Joseph R. Taylor in 1856. Both these requests were compiled with.

The examination of the accounts of Isaac Edwards and Deputies had absorbed the time of four clerks for several months, and the result of this tovestigation was communicated to your memorable bodies on the 2th day of February last, through his Honor the

have decided that the plan is not leasible, and have not seen fit to constermand my directions to the Collector requiring from to make his payments to the City Chamberlain and render his accounts weekly in accordance with the amended ordinance reorganizing his base.

prepared, and is herewith submitted to your honorable bodies, for the reason that it contains information of an important character, affecting the appropriations and business of this Department.

In reporting upon the "state" of the Department in this particular, I have purposely refrained from making any "suggestions in relation to the improvement thereef."

While great improvements have undoubtedly been

of the Charter.

I shad not authorize expenditures under cognizance

ture, law books, and other personal property belonging to the city in the courts, pelice station-houses, enginenouses, and all other public offices of the corp ration, and that a certified copy of said inventory be transmitted by the efficers making them to the Street Commissioner, in whose office they shall be filed and copied into a book to be kept for that purpose.

There are many intelligent and competent officers under me in the department, and to them great credit is due for the improved condition of this varied and extensive business, but in order to place it in an entirely satisfactory condition, it is not only necessary

during the storm, leaving his horse and cart standing in the street. The animal took fright and dashed off, but before it had gone a block it was struck by lightning, and instantly killed; the same stroke shivered

Maller's house, in Eighth-avenue, was blown lown by the storm. A portion of the Ninth-avenue Railroad Depot was During the storm on Wednesday afternoon, the British brig Time, lying in the East River, was struck by lightning, which shivered the maintopinast.

the window, breaking four panes of glass and spending its force upon the child, whose hair was singed and breast burned. Coroner Jackman held an inquest The storm made lively work among the pleasureboats in Gowanus Bay. The anchorage ground at the stone wharves, and is regarded as unusually secure from damage either by wind or wave. The squall here first struck it from the north, blowing directly off

ashore before their work was hardly began. The boats began gradually to drift toward the south trorgest hold of the bottom.